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First Named Inventor:

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Assignee:

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Examiner:

Unassigned

Art Unit:

Unassigned

Attorney Docket No.:

M-15051-1D US

San Jose, California February 9, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(B)**

## Dear Sir:

Pursuant to 37 C.F.R. § § 1.56, 1.97 and 1.98, Applicants wish to call the documents listed on the enclosed Form PTO-1449 (1 page) to the Examiner's attention for the above-identified patent application. Copies of the listed documents are enclosed except for United States Patents and United States Publications. The documents were first cited by the European Patent Office in a corresponding PCT Application No. PCT/US03/12115.

Citation of the above documents shall not be construed as:

- 1. an admission that the documents are necessarily prior art with respect to the instant invention;
  - 2. a representation that a search has been made, other than as described above; or
- 3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

The undersigned hereby certifies in accordance with § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

No fee is believed to be required for this Information Disclosure Statement. If a fee is required, please charge the fee to deposit account 50-2257. This paper is submitted in duplicate.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, A 22313-1450, on February 9, 2004.

Attorney for Applicant(s)

Date of Signature

Respectfully submitted

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U.S. Department of Commerce, Patent and Trademark Office					+ <u>-</u>	Atty Docket No. M-15051-1D US		10/718,821		
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FEB 1 7 2004 (Use several sheets if necessary)						L. Scott Bloebaum et al.				
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U.S. Patent Documents										
*Examiner	<u> </u>	Document			$\neg$	·		Filing I	Date	
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)										
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Examiner			Date Considered							
	Initial i	f reference consider	red, whether or not citation is in conformance with MPEP 609; Draw line through							
citation if not in conformance and not considered. Include copy of this form with your communication to applicant.										